

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 06-087

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Complainant:	No. 1282310035A
Judge:	No. 1282310035B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judges involved in her domestic relations case.

The complainant alleged, among other things, that the judges made wrong rulings, did not enforce orders, and ignored her evidence. These allegations are legal in nature, and the commission cannot change a judge's decisions. The complainant also alleged that an attorney had a conflict of interest in the case. However, no one filed a motion on that issue, even though the judge allowed time for filing.

The complaint is dismissed pursuant to Rule 16(a).

Dated: June 28, 2006.

FOR THE COMMISSION

/s/ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on June 28, 2006.

*This order may not be used as a basis for disqualification of a judge.*



CJC-06-087

To Whom It May Concern,

March 22, 2006

I am deeply concerned about an apparent blind spot in the [redacted] County Judicial System. It lends an appearance to a "good old boy" system of justice. Perhaps there is a need for mandatory training of our Justices in the area of domestic violence and the many deceptions employed by the perpetrators to cover up their actions and avoid accountability.

In [redacted], I married a [redacted] who quickly employed criminal domestic violence control measures to establish dominion in our home. Within the first two months of marriage, hitting, breaking of personal possessions, withholding of financial and other resources, disabling and or removal of my vehicle, threats of abandonment, and vindictive threats to conspire to take away my children (from another marriage) prevailed.

In [redacted] I consulted with an attorney: [redacted] considering an end to the marriage. She was very helpful and fully earned the consultation fee charged. After two brief visits to a local woman's shelter, and a visit from the local police, he agreed to attend domestic violence counseling with a Christian organization: [redacted] (see affidavit from [redacted]—Exhibit A)

While the physical abuse stopped, the financial, verbal, and emotional abuse continued. (See affidavits from my family members—Exhibit B) After 5 long, costly, and painful years, I filed for and obtained a divorce. Unfortunately, my spouse's skill at deceiving, manipulating, and controlling me has escalated and--at times-- prevailed through the court system.

The following is a list of what I perceive as injustices or "oversights" that have occurred within the [redacted] County Court System.

1. In [ ] I sought to obtain an order of protection. I appeared before Honorable [ ] representing myself, together with a witness and additional affidavits in an effort to stop my estranged husband's stalking. Honorable [ ] did not allow my witness to speak, but instead telephoned my estranged husband's attorney [ ] (See attached minutes and transcripts from Judge [ ]—Exhibit C) and limited me to an agreement orchestrated by both [ ] and Honorable [ ] who were on a first name basis.
  
2. We appeared before Honorable [ ] for a divorce hearing in [ ] [ ] counsel for the defendant, arrived with his evidence list and handed it to my attorney immediately before the hearing—having denied us pretrial access to documents not disclosed during discovery. (See copy of transcript pages of hearing-- Exhibit D) I did not have access or opportunity to review these documents until after the hearing. I tried, unsuccessfully, to have these deceptions exposed and revisited in a subsequent hearing.
  
3. Having subpoenaed evidence to dispute the numerous perjured statements delivered by the defendant, I proceeded with a motion to reopen the case heard before Honorable [ ] He denied the motion despite the revelation of documents in which the defendant forged my name for personal financial gain. (See exhibit E) Honorable [ ] refused to look at any new evidence, requested only the transcript, and voiced his misjudged opinion of me as someone wanting to continue the fight.

*I simply wanted a fair settlement based on the factual evidence—not the deception presented by the defendant and accepted by the court, which resulted in a skewed and biased outcome.*

4. The defendant obtained an emergency hearing regarding visitation time and contempt for an occasion that I delayed visitation for one day. Honorable [ ] granted the emergency order having been misinformed by Counsel [ ] that I had been informed of, yet chose not to attend. [ ] also withheld evidence of an email clearly stating my intentions. (see exhibit F)

My brother-[ ] former guardian ad litem—discovered the presence of [ ] registration in the registry of a computer that belonged to and was accessed solely by the defendant at the date of access. (See exhibit G) At that time, he was updating the data, as I had been awarded this in the settlement. Following his counsel, I immediately called and left a message with Social Services to discuss the incident. Their delay in returning my call caused the delay in visitation. They advised me to take this matter before a judge.

My brother accompanied me to the hearing together with the police officer: [ ] who was prepared to testify that [ ] had misquoted her in his motion.

Honorable [ ] refused to hear from any of my witnesses and ignored the email clearly stating my intentions. (See exhibit F) I was held in contempt and fined.

5. [ ] filed for a modification of the decree in [ ]  
 [ ] Our case was heard before Honorable [ ] and the order signed in [ ] The following are my grievances:
- a. The childcare expenses are calculated at less than the actual amount.
  - b. No deduction is calculated for my other children.
  - c. Attorney fees were awarded at 33% when [ ] has consistently earned significantly more than I; currently he earns 2 ½ times my income.

- d. [ ] disability income is not counted, hence below guideline child support resulted.
- e. A request to hold [ ] in contempt for non-compliance with the divorce decree fell on deaf ears despite my telling evidence. (See Exhibit H) [ ] simply stated that he wrote me a letter, but was not required to show proof, but is taken at his deceptive word. There was no letter, nor other communication for further instruction from him at that time.
- f. In [ ] my former spouse hired [ ] to represent him in an action to transfer custody as I was seeking to move to my homestate of [ ] to be near my terminally ill father. I advised Honorable [ ] that I objected to [ ] hiring [ ] as I had consulted with her and/or her office within the last three and 1/2 years. Honorable [ ] advised me that until the correct objection was filed, she'd remain his counsel; however, when the order arrived, he wrote that any objection forthcoming would be overruled.

It seems apparent to me that the laws, and those in place to uphold the laws, leave women and children in Arizona with the short end of the stick more often than not. Wayward men are allowed to neglect responsibilities and manipulate and control through the courts. I believe that accountability, revisions and additional training would greatly help all judges meant to protect those in genuine need. We aren't getting heard nor treated fairly in this judicial system *especially when appearing without an attorney.*

My legal fees exceed [ ] My former spouse has only had to pay [ ] and he drags me back to court at will. I'm only a [ ] earning [ ] per year) and a single parent to [ ] children. I am a conscientious and responsible person who consistently contributes to society. (see exhibit I) He earns in excess of [ ] per year, and has only the 1 dependent we share, which he deducts 3 out of 4 years. I'd appreciate your time and attention to this matter.

Cordially,

[ ]

*I'd prefer a change of venue.*